

Application No.: 09/608,512

Amendment Under 37 C.F.R. § 1.114 dated: December 22, 2006

REMARKS/ARGUMENTS

Claims 1-26 are pending in the application. Claims 7-9 are allowed. Claims 1-6 and 10-26 are rejected. The preambles of claims 1, 7, 10, 14, and 19 have been amended to improve their form. Additionally, claim 1 has been amended to correct a typographical error.

Claim Rejections under 35 U.S.C. § 102

Claims 10-18 are rejected under 35 U.S.C. § 102(e) as being anticipated by Inoue, U.S. Patent No. 6,851,043 (herein referred to as Inoue). Applicants have amended independent claim 10 to contain a similar limitation to allowable independent claim 7, and therefore, assert that independent claim 10 and dependent claims 11-13 which depend from it are allowable.

Claim 14 contains the following limitation:

removing entries from a branch prediction logic storage buffer that would later produce bogus branches.

In the litany of citations listed in the office action, it is unclear where Inoue teaches a branch prediction logic storage buffer and where Inoue teaches removing entries. It also appears that the office action is citing to sections discussing non-selected branches, not bogus branches. In light of this deficiency in the office action, applicants assert that independent claim 14 is allowable and dependent claims 15-18 are allowable as depending from allowable independent claim 14.

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Accordingly, applicants respectfully request that the rejections under 35 U.S.C. § 102(e) be withdrawn.

Claim Rejections under 35 U.S.C. § 103

Claims 1-6, and 19-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue in view of McCrocklin et al., U.S. Patent No. 4,761,733 (herein referred to as McCrocklin).

Claim 1 of applicants' invention contains the following limitation:

wherein if the at least one executed micro-op is determined to be a bogus branch, then the method further comprises:

flagging any other micro-ops which pertain to the at least one executed bogus branch micro-op;

The office action cites to the PHANTOM VALID field (column 8, lines 39-41) as teaching this aspect of applicants' claimed invention, but the plain language of applicants' claim shows that this is not the case. The language of applicants' claim makes it clear that at least some of the micro-ops being flagged are not the same micro-ops being determined to be bogus branches. "[O]ther micro-ops" that "pertain" to the bogus branch are being flagged. In Inoue, a phantom branch is being identified, but nothing is being done with any "other" branches that "pertain" to the phantom branch. Inoue, either by itself or in combination with other cited references, therefore, does not read on applicants' claims. Accordingly, applicants assert that that independent claim 1 is in condition for allowance. Applicants additionally assert that dependent claims 2-6 are in condition for allowance as depending from allowable independent claim 1.

Claim 19 contains a limitation substantially similar to the one discussed above, and applicants assert that it is likewise in condition for allowance for at least all the same

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reasons discussed above. Applicants additionally assert that dependent claims 20-26 are allowable as depending from allowable independent claim 19. Accordingly, applicants respectfully request that the rejection of claims 1-6 and 19-26 under 35 U.S.C. § 103(a) be withdrawn.

For all the above reasons, the Applicants respectfully submit that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,

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